

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

WHITTIER CITY SCHOOL DISTRICT.

OAH CASE NO. 2015020710

ORDER FOLLOWING EXPEDITED
PREHEARING CONFERENCE AND
DISMISSING EXPEDITED CLAIMS

Administrative Law Judge Adrienne L. Krikorian, Office of Administrative Hearings, held a telephonic prehearing conference in the expedited portion of this case on March 2, 2015. Attorney Justyn Howard appeared on Student's behalf. Attorney Darin Barber appeared on Whittier City School District's behalf. The prehearing conference was recorded. Based on discussion of the parties, the ALJ issues the following order:

1. Dismissal of Expedited Claims. On February 27, 2015, the parties filed a joint stipulation requesting OAH to vacate the expedited hearing dates and to include Student's "Allegation B" in the complaint with other non-expedited issues. The ALJ considered the Stipulation during the PHC. Student's counsel affirmatively and explicitly represented to the ALJ that Student was withdrawing any claims seeking relief under title 20 United States Code section 1415(k).

Accordingly, all claims in the complaint that seek relief under section 1415(k), including claims that District failed to hold a manifestation determination meeting prior to instituting a disciplinary change of placement, are dismissed. All dates in the non-expedited portion of this matter are confirmed.

Nothing in this order shall prevent Student from raising the facts associated with the above-referenced claims during the non-expedited hearing for the purpose of establishing findings that District denied Student a free appropriate public education under the IDEA, or from seeking remedies other than those that might have otherwise been available to Student under section 1415(k)(5).

IT IS SO ORDERED.

DATE: March 2, 2015

/s/

ADRIENNE L. KRIKORIAN

Administrative Law Judge

Office of Administrative Hearings